

List of Documents Withheld Under FOIA Exemption 5

Date: in progress
 Item: draft letter
 No. Pages: in progress
 Author: Dick Long (EPA Region 8, Air & Radiation Program Director)
 Addressee: Terry O'Clair (North Dakota Dept of Health, Director)
 Description: comments on oil and gas inventory
 Exemption: 5 (Deliberative process privilege, Predecisional)

Date: March 14, 2002
 Item: Briefing Papers
 No. Pages: 5
 Author: Megan Williams (EPA Region 8, staff)
 Addressee: Jeff Holmstead (EPA, Assistant Administrator for Air)
 Description: briefing on ND PSD increment modeling
 Exemption: 5 (Deliberative process privilege, Predecisional)

Date: March 7-11, 2002
 Item: Email + response
 No. Pages: 2
 Author: Megan Williams (EPA Region 8, staff), John Schakenbach (EPA CAMD, staff)
 Addressee: John Schakenbach (EPA CAMD, staff), Megan Williams (EPA Region 8, staff), Kevin Golden (EPA Region 8, staff), Larry Svoboda (EPA Region 8, management)
 Description: use of CEMS data from acid rain db
 Exemption: 5 (Deliberative process privilege)

Date: February 19, 2002
 Item: Significant Issues Paper
 No. Pages: 1
 Author: Megan Williams (EPA Region 8, staff)
 Addressee: Regional Administrator
 Description: updated briefing on ND PSD increment modeling
 Exemption: 5 (Deliberative process privilege, Predecisional)

Date: February 12, 2002
 Item: legal briefing
 No. Pages: 1
 Author: Steven Moores (EPA Region 8, attorney)
 Addressee: EPA Region 8 management
 Description: Discussion of FOIA issues
 Exemption: 5 (Attorney Work Product, Attorney Client Communication)

Date: February 11, 2002
 Item: Emails
 No. Pages: 2
 Author: Sara Laumann (EPA Region 8, attorney), Lea Anderson (EPA OGC, attorney), Karen Blanchard (EPA OAQPS, Manager)
 Addressee: Richard Long (EPA Region 8, Air & Radiation Program Director), Larry Svoboda (EPA Region 8, Manager), Bill Harnett (EPA OAQPS, Manager), Megan Williams (EPA Region 8, staff), Sara Laumann (EPA Region 8, attorney), Melissa McCullough (EPA OAQPS, staff)
 Description: follow up from meeting between OAR and ND Governor's staff

List of Documents Withheld Under FOIA Exemption 5

Exemption: 5 (Deliberative process privilege, Attorney Work Product, Attorney Client Communication)

Date: February 8, 2002 and February 7, 2002

Item: Emails

No. Pages: 2

Author: Sara Laumann, Peter Ornstein (EPA Region 8, attorney and Acting Region Counsel)

Addressee: Sara Laumann, Peter Ornstein (EPA Region 8, attorney and Region Counsel)

Description: Internal briefing document

Exemption: 5 (Attorney Work Product, Attorney-Client Communication)

Date: February 7, 2002

Item: Email

No. Pages: 1

Author: Dick Long (EPA Region 8, Air & Radiation Program Director)

Addressee: Jack Bowles (EPA Headquarters/OAR), Kerry Clough (EPA Region 8, Assistant Regional Administrator)

Description: briefing for upcoming meeting between OAR and ND Governor's staff

Exemption: 5 (Deliberative process privilege)

Date: February 7, 2002

Item: Email

No. Pages: 1

Author: Sara Laumann (EPA Region 8, attorney)

Addressee: Peter Ornstein (EPA Region 8, Acting Regional

Counsel)

Description: next steps, PSD increment report

Exemption: 5 (Attorney Work Product)

Date: February 6, 2002

Item: draft press release

No. Pages: 1

Author: Megan Williams (EPA Region 8, staff)

Addressee: general public

Description: draft press release announcing availability of EPA's draft PSD increment modeling analysis

Exemption: 5 (Deliberative process privilege, Predecisional)

Date: February 6, 2002

Item: draft fact sheet

No. Pages: 3

Author: Megan Williams (EPA Region 8, staff)

Addressee: reporters

Description: draft fact sheet with background information on EPA's draft PSD increment modeling analysis for distribution with press release

Exemption: 5 (Deliberative process privilege, Predecisional)

Date: January 30, 2002

Item: Emails

No. Pages: 1

Author: Sara Laumann (EPA Region 8, attorney), Lea Anderson (EPA, OGC attorney)

Addressee: Lea Anderson (EPA, OGC attorney), Sara Laumann (EPA Region 8, attorney)

List of Documents Withheld Under FOIA Exemption 5

Description: communication on draft notice of availability
 Exemption: 5 (Attorney Work Product, Attorney-Client Communication)

 Date: January 29, 2002
 Item: draft Notice of Availability for publication in the Federal Register
 No. Pages: 5
 Author: prepared for Jack McGraw's signature (EPA Region 8, Acting Regional Administrator)
 Addressee: Federal Register
 Description: Notice of Availability of Draft Dispersion Modeling Analysis of PSD Class I Increment Consumption in North Dakota and Eastern Montana
 Exemption: 5 (Deliberative process privilege, Predecisional)

 Date: January 29, 2002
 Item: Action Memorandum
 No. Pages: 2
 Author: prepared for Kerry Clough's signature (EPA Region 8, Assistant Regional Administrator)
 Addressee: Jack McGraw (EPA Region 8, Acting Regional Administrator)
 Description: Notice of Availability of Draft Dispersion Modeling Analysis of PSD Class I Increment Consumption in North Dakota and Eastern Montana
 Exemption: 5 (Deliberative process privilege, Predecisional)

 Date: January 18, 2002

Item: draft letter
 No. Pages: 2
 Author: Dick Long (EPA Region 8, Air & Radiation Program Director)
 Addressee: Francis Schwindt (North Dakota Department of Health, Environmental Health Section Chief)
 Description: cover letter for release of EPA's draft modeling analysis
 Exemption: 5 (Deliberative process privilege, Predecisional)

 Date: February 5, 2002
 Item: Briefing for EPA Management and Staff
 No. Pages: 3
 Author: Sara Laumann (EPA Region 8, attorney)
 Addressee: for internal EPA management and staff
 Description: briefing for meeting with State of ND
 Exemption: 5 (Attorney Work Product, Attorney-Client Communication)

 Date: December 31, 2001
 Item: Draft letter to North Dakota
 No. Pages: 5
 Author: Dick Long (EPA Region 8, Air & Radiation Program Director)
 Addressee: Terry O'Clair (North Dakota Dept of Health, Director)
 Description: comments on establishing baseline emissions
 Exemption: 5 (Deliberative process privilege, Predecisional)

 Date: October 10, 2001

List of Documents Withheld Under FOIA Exemption 5

Item: email
No. Pages: 1
Author: Kevin Golden (EPA Region 8, staff)
Addressee: Richard Long (EPA Region 8, management),
Larry Svoboda (EPA Region 8, management),
Megan Williams (EPA Region 8, staff), Sara
Laumann (EPA Region 8, attorney)
Description: ND Preliminary PSD Increment Modeling Results
Exemption: 5 (Deliberative Process, Attorney-Client
Communication)

Date: June 18, 2001
Item: Memorandum
No. Pages: 7
Author: Terry Lukas (EPA Region 8, attorney)
Addressee: Megan Williams (EPA Region 8, staff), Kevin
Golden (EPA Region 8, staff)
Description: North Dakota Increment Violations/ Response to
Questions from ND
Exemption: 5 (Attorney Work Product, Attorney-Client
Communication)